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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TIM TOTH

Plaintiff,

vs.

STEPHENS AND MICHAELS ASSOCIATES, INC.; and MEAGAN JAFFARIAN, inclusive,
Defendants

Case No.: 2:13-CV-00372-GMN-VCF

**STIPULATION FOR DISMISSAL OF COUNT
III AND COUNT IV OF PLAINTIFF'S FIRST
AMENDED COMPLAINT WITH PREJUDICE**

AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the attorney for the Plaintiff, TIM TOTH, and the attorney for the defendant, STEPHENS AND MICHAELS ASSOCIATES, INC., that of the Plaintiff's First Amended Complaint, that was filed on November 13, 2013, Count III (Negligent Violations of the Telephone Consumer Protection Act U.S.C. § 227, *et seq.*) and Count IV (Knowing and/or Willful Violation of the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.*), be dismissed with prejudice.

Dated: November 4, 2014

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DUBOWSKY LAW OFFICE, CHTD.

HAINES & KRIEGER, LLC

By: /s/Peter Dubowsky

By: /s/David Krieger

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Dated this day of November, 2014

IT IS SO ORDERED

United States District Judge